

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12781 of the George Washington University, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.46 to continue the use of parking lots as college or university uses in the R-5-C District at the premises 2003-2011 and 2027-2033 H Street, N.W., (Square 101, Lots 844 and 850).

HEARING DATE: November 15, 1978

DECISION DATE: December 6, 1978

FINDINGS OF FACT:

1. The subject property is comprised of two separate lots located in an R-5-C zone District within the George Washington University campus boundaries at 2003-2011 and 2027-2033 H Street, N.W.
2. The property at 2003-2011 H Street (Lot 844) presently serves as parking for seventy-two vehicles of faculty and staff of the University. There are an additional fifty adjacent spaces located in the C-3-B zone, which are operated as a matter of right.
3. On the property at 2027-2033 H Street, N.W., there are fourteen spaces used for large maintenance and service vehicles owned by the University.
4. The subject parking facilities was last approved by this Board pursuant to BZA Order 11957, dated October 8, 1975, and covered by Certificate of Occupancy B-95243.
5. The applicant proposes the continuation of these parking facilities.
6. The University's Campus Master Plan requires the development of 2,800 to 3,000 parking spaces. At the present time, 2,762 spaces are available including the subject application.
7. The campus plan as approved in 1971 recognized the future impact of a Metro subway system that was not in operation at that time. The Board restricted the maximum number of parking spaces to a level considerably below that normally required by the Zoning Regulations.

8. The facilities and operations of the University on its main campus have been increased and intensified, in accordance with the approved plan, without any overall increase in the number of parking spaces.

9. Between 24,000 and 25,000 people are served by the University's parking spaces on a daily basis. The University is further not a typical 9:00 A.M. to 5:00 P.M., five day a week operation, with many work shifts and class hours beginning before or ending after public transportation is widely available.

10. The University projects that due to construction approved for 1979, it will lose approximately 350 existing parking spaces. Approximately 300 spaces which are now leased to a commercial parking operation will be taken over by the University for university use. This still involves a net loss of approximately fifty spaces, reducing the overall number of spaces to very close to the 2,700 level.

11. The University has followed policies designed to discourage automobile commuting and to encourage use of mass transit, by not subsidizing parking for employees, students or visitors, by participating in the COG commuter club program and by maintaining an active car pool locator service.

12. The Campus Plan designates this site for academic building associated with the Law School in Phase 2. Development of that building will not occur for at least five to ten years.

13. The Department of Transportation by report dated October 31, 1978, recommended that the lot be granted for no longer than a four year period to allow for re-evaluation of mass transit facilities which could serve the facilities currently served by this parking lot.

14. The Municipal Planning Office by oral testimony at the time of public hearing reported that the applicant complied with the Board's previous order and offered no objections to the application.

15. Advisory Neighborhood Commission 2A by report dated November 14, 1978 and by testimony at the hearing, opposed the application on the grounds that there is adequate public transportation in the area including a Metrorail station within both a one and three block radius and that the present level of parking at the University currently exceeds the 2,700-3,000, as approved by the Campus Master Plan. The ANC also cited and objected to illegal parking which occurs on and around the campus.

16. The Board is required by statute to give "great weight" to the issues and concerns of the Advisory Neighborhood Commission. As to those concerns, the Board has already found that the approved campus plan took into account the future Metro system, and has restricted the number of parking spaces to a level well below that normally required. The Board further finds that the number of parking spaces specified in the plan was deliberately framed as a range, and that the University may provide between, 2,700 and 3,000 spaces. The Board finds that the University is in compliance with the approved plan. As to illegal parking spaces, the University testified and the Board finds that such parking is not condoned by the University, and the University has taken and is taking all reasonable measures to eliminate such parking.

17. There was no opposition to the granting of this application.

CONCLUSIONS OF LAW AND OPINION

Upon consideration of the above findings of fact and the evidence of record, the Board concludes that the applicant has complied with the conditions set forth in BZA Order 11967 as well as the provisions of Article 74 of the Zoning Regulations. The Board is of the opinion that the parking lot is not objectionable because of noise, traffic, number of students or other objectionable conditions. The parking is a university-related use in comprising a portion of the total parking required pursuant to the university campus plan approved by the Board. The Board further concludes that the parking facility is in harmony with the intent and purpose of the Zoning Regulations and will not tend to adversely affect the use of neighboring property. The Board concludes that it has accorded to the Advisory Neighborhood Commission the "great weight" to which it is entitled, and for the reasons stated, differs from the position advocated by the ANC. Accordingly, it is hereby ORDERED that this application is hereby GRANTED subject to the following CONDITIONS:

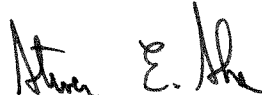
- a. Approval shall be for a period of THREE YEARS from the date of expiration of the previous Certificate of Occupancy which may be renewed at the discretion of the Board upon the filing of a proper application.
- b. Maintenance and service vehicles up to 1½ tons in weight, recreational vehicles and pick-up trucks of students, faculty and staff, provided they are no larger than the normal size of parking spaces (9' x 19') shall be permitted to park on the subject property.

- c. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- d. An eight inch coping shall be erected and maintained along each side of all driveways to protect the public space.
- e. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- f. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- g. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.
- h. No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structure is otherwise permitted in the zoning district in which the parking lot is located.
- i. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

VOTE: 5-0 (Choloethiel Woodard Smith, Walter B. Lewis, Charles R. Norris, William F. McIntosh and Leonard L. McCants to grant).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 30 JAN 1979

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER